144. (NEW) The method of Claim 143, wherein the amino acid sequence spacer comprises residues 741 to 794 of wild-type FVIII, wherein the residue at position 794 is selected from the group consisting of threonine and leucine.

145. (NEW) The method of Claim 144, wherein the residue at position 794 is threonine.

REMARKS

Claims 1-9, 24-26, 28-31, 33-35 and 37-101 have been cancelled without prejudice. New Claims 102-145 have been added. The subject matter of new Claims 102-121 substantially corresponds to the subject matter of original Claims 17-23 and 27. New Claims 122-145 are drawn to methods of using the proteins of original Claims 17-23 to treat hemophilia. Support for the new claims may be found throughout the application as filed. No new matter has been added.

The Examiner has divided the claims of the above-identified patent application into twenty-one (21) groups. Applicants hereby elect Group III, Claims 17, 20-23 and 27, with traverse, on the grounds that Groups III and VI (Claims 32 and 36) are not independent and distinct as required by MPEP §802.01, 35 U.S.C. §121 and 37 C.F.R. §141, and should therefore be properly regrouped in a single group.

Independent Claim 17 (Group III) is drawn to a procoagulant-active FVIII protein comprising a human FVIII polypeptide that is modified, wherein the modification comprises a deletion of the B domain, a deletion of the von Willebrand factor binding site, a mutation at Arg740 and an addition of an amino acid sequence spacer between the A2- and A3-domains. Independent Claim 32 (Group VI) is the thrombin-activated protein of Claim 17, *i.e.*, Claim 32 functionally claims the structurally-claimed protein of Claim 17, and thus these

proteins are neither independent nor distinct. In addition, according to the Examiner, the inventions of Groups III and VI are both classified in classes 514 and 530, subclass 2+ and 350+, respectively, and thus a search of Groups III and VI would not be unduly burdensome, as the fields of search for the Groups are identical. Applicants thus submit that the criteria for a proper requirement for restriction as set forth in MPEP §803 namely, that 1) the inventions must be independent or distinct as claimed; and 2) there must be a serious burden on the examiner if restriction is not required, have not been met. Accordingly, the inventions of Groups III and VI should be properly grouped together.

Applicants further submit that Claims 18 and 19 should be examined with Groups III and VI, as being dependent on independent Claim 17 and further defining the protein of Claim 17. Claim 17 may be considered a linking claim.

In summary, Applicants submit that now pending Claims 17-23, 27, 32, 36 and 102-145 are properly grouped and should now be considered. Should the Examiner have any questions or wish to further discuss this matter, it is requested that the undersigned attorney be contacted at (248) 641-1600.

Respectfully submitted,

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